

**Freedom Court Reporting, Inc**

**1**

1                   IN THE UNITED STATES DISTRICT COURT  
2                   FOR THE EASTERN DISTRICT OF TEXAS  
3                   MARSHALL DIVISION

4 \_\_\_\_\_  
5 \_\_\_\_\_  
6   PATTY BEALL, MATTHEW  
7   MAXWELL, TALINA McELHANY and  
8   KELLY HAMPTON, Individually  
9   and on behalf of all other  
10  similarly situated,

11                   Plaintiffs,                   2:08-cv-422   TJW

12                   v.

13   TYLER TECHNOLOGIES, INC., and  
14   EDP ENTERPRISES, INC.,  
15                   Defendants.

16 \_\_\_\_\_  
17 \_\_\_\_\_

18                   DEPOSITION OF  
19                   ILENE MEYERS

20

21   At Raleigh, North Carolina

22   Friday, July 30, 2010; 9:14 a.m.

23   Reported by: Lindsey D. Cline, CVR

## Freedom Court Reporting, Inc

47

1 Q. Okay. Like a project report or anything specific  
2 to the project? Anything you can recall along  
3 those lines?

4 A. You know, I don't want to be very specific because  
5 I'm not recalling.

6 Q. Okay.

7 A. But I just know that the project manager always  
8 did the analysis of what the client needs and  
9 wants. And so I know that had to have been  
10 communicated to me. And I'm not positive that  
11 there was an actual form or if it actually was  
12 just through e-mail saying this is exactly what  
13 the client is going to be using.

14 Q. Okay. And when you say the analysis of what the  
15 client needs and wants, you're talking something  
16 more than just what module you're training on,  
17 correct?

18 A. Yes.

19 Q. This is something more specific as to what the  
20 client wants to do within the particular module as  
21 to routing of data, for example?

22 A. What they're using and what they're not.

23 Q. Within the module?

## Freedom Court Reporting, Inc

48

1 A. Yes.

2 Q. Did you as an implementation consultant -- I'm  
3 sorry -- implementation specialist at Tyler ever  
4 undertake an analysis of what the client needs and  
5 wants -- similar to what you described the project  
6 manager typically does?

7 A. No. That was the project manager's duties.

8 Q. Okay. And so your recollection, as best you can  
9 recall, is that that would have been communicated  
10 to you by the project manager in some form,  
11 perhaps in a document, but perhaps through an e-  
12 mail or a phone conversation?

13 A. Yes.

14 Q. Is there a name for that analysis of what the  
15 client needs and wants that was used at Tyler?

16 A. I don't know if there was a set name, but I would  
17 call it the project plan.

18 Q. If I use the term systems analysis, is that  
19 something you're familiar with as a term used at  
20 Tyler?

21 A. I think that's a common usage for most technology,  
22 system analysis. But I don't know if that's  
23 particularly what they called it as a project

## Freedom Court Reporting, Inc

49

1 manager doing it.

2 Q. Okay. But just using that sort of generic  
3 understanding of what a systems analysis means, is  
4 that a description of what we've discussed in  
5 terms of analyzing what the client wants and needs  
6 with respect to the software and what it intends  
7 to use and what it doesn't intend to use?

8 A. I don't know, because I don't know what the real  
9 definition of that term is. And I hate to --

10 Q. Okay.

11 A. -- say anything.

12 Q. But you're more comfortable with the phrase  
13 project plan to describe that?

14 A. Uh-huh, yes.

15 Q. Okay. Would it have been typical for you to be on  
16 the phone with the customer prior to visiting the  
17 customer site?

18 A. It could be, possibly.

19 Q. And what types of -- what reason would you have to  
20 communicate with the client before the trip?

21 A. I would just tell them I was to be expected in at  
22 this time. "I'm staying here. Is there anything  
23 I need to bring, or is there anything you need

Freedom Court Reporting, Inc

52

1 tables for it to work for their business

2 processes.

3 Q. Was -- in your job as implementation specialist,  
4 was it important at all for you to know about the  
5 customer's legacy or previous system?

6 A. No. I never got involved in their old system,  
7 even though I heard about it.

8 Q. You'd hear about it from the --

9 A. From the client.

10 Q. From the representatives who you were training?

11 A. Yes.

12 Q. When they would say, "We used to do it like this"?

13 A. Yes.

14 Q. Okay.

15 A. Constant.

16 Q. Okay. But it's not something that you would have  
17 reviewed or talked to the customer about in any  
18 depth?

19 A. No.

20 Q. Now, you described the process by which you were  
21 informed of what modules you would be training,  
22 who your contact person was. And again, I  
23 understand you weren't exactly sure how -- in what

## Freedom Court Reporting, Inc

53

1 form that was communicated to you by your project  
2 manager on every instance. But how would you know  
3 how to set up the particular schedule of training  
4 with the customer? And by that I mean, what times  
5 of the day that you're training, you know,  
6 particular representatives? Is that something  
7 that you would have to work out with the customer  
8 once you got to the site, or was that something  
9 that was done ahead of time?

10 A. That was done ahead of time.

11 Q. And was that -- did Tyler use the term agenda to  
12 describe that?

13 A. I don't know if they used the word agenda. But  
14 the project manager was the one who would set up  
15 with the client the days that I would be there to  
16 train and the times.

17 Q. Were you, as an implementation specialist, ever  
18 involved in that process in setting up the agenda  
19 for the training?

20 A. Generally not. If -- you use the word agenda as  
21 what? What is agenda? The days, the time, the  
22 place?

23 Q. Yeah, I'll -- let me give you a definition.

## Freedom Court Reporting, Inc

54

1 A. Okay.

2 Q. By agenda, I meant the day -- the schedule. Like,  
3 "Tuesday at 9:00 we want you to be training these  
4 people on, you know, this aspect of the module.  
5 And then at 1:00 you're going to go into this room  
6 and train this group on, you know, this particular  
7 aspect of the software." Basically, the schedule  
8 in the sense of where you're supposed to be and  
9 what you're supposed to be doing.

10 A. Right.

11 Q. That's what I mean by agenda.

12 A. Okay. My project manager would set that up ahead  
13 of time for me.

14 Q. Okay. And would there be a document that you  
15 would have at the commencement of the  
16 implementation that would tell you that, or would  
17 you just be at the, kind of, customer's direction?

18 A. I would know ahead of time that this -- and again,  
19 that's the same thing that I don't recall if that  
20 was given to me in an actual schedule or if it was  
21 e-mailed to me or called to me. But there was  
22 some formal way of telling me that before I left  
23 for my trip.

## Freedom Court Reporting, Inc

59

1 A. It's just that there was no glitches in the  
2 system. The client seems to understand what's  
3 going on and the data information came -- through  
4 conversation, they convert their information into  
5 the system. Everything seems to be working well.

6 Q. And converting the data into the system, that was  
7 something done by Tyler's conversion department?

8 A. Yes, if that's the name of that. But I don't know  
9 if it's called Tyler's conversion department. But  
10 there were technology folks that did that.

11 Q. How about this? It wasn't -- you were not the one  
12 that converted the data?

13 A. I did not. And they're lucky I didn't.

14 Q. Fair enough. What if there was a situation where  
15 the customer's employees who you were training  
16 were not picking up on the training such that the  
17 training was not on time? Would you discuss with  
18 the project manager the need to have additional  
19 training?

20 A. Yes, I would definitely pass that type of  
21 information along.

22 Q. And then I guess it was up to the project manager  
23 to work that out with the client?

## Freedom Court Reporting, Inc

65

1 A. No.

2 Q. No, it did not?

3 A. No, it did not. Sorry.

4 Q. That's all right. That's my question that  
5 elicited the double negative, so I have to fix it.

6 All right. Once that set amount of go-live  
7 support ended, did you have any additional  
8 responsibilities with respect to that customer?

9 A. Personal -- no.

10 Q. Did you have any responsibilities with respect to  
11 fielding questions from customers on the telephone  
12 when you were at the office?

13 A. I didn't, per se, have responsibility to where it  
14 says, "You need to take these." I would take  
15 calls if they were customers I had implemented if  
16 they had a question. Absolutely I'd take their  
17 call.

18 Q. Was there any period of time in which you were  
19 supposed to transition those kinds of calls to  
20 Tyler's telephone support team?

21 A. Well, anything technical went to Tyler's support  
22 team. If it was a simple training question I  
23 could answer, I would answer it. But anything

Freedom Court Reporting, Inc

66

1 technical always went to technical support.

2 Q. And -- but let's say a client called you because  
3 you had been their implementer and they had a  
4 technical question, would it have been your  
5 practice to try to answer that question or to send  
6 that to support?

7 A. I would send it to support. I wouldn't be any  
8 help to them.

9 Q. I see, okay. Because you wouldn't know how to  
10 answer the question perhaps?

11 A. That's correct.

12 Q. Was it the practice at the Raleigh office at Tyler  
13 to allow you some flexibility to take all or part  
14 of Fridays off if you had engaged in travel during  
15 that week?

16 A. No. I was required to come in on Friday.

17 Q. Have you -- before I just stated it in my  
18 question, had you ever heard of such a practice at  
19 the Raleigh office?

20 A. It didn't happen with me, so I don't know.

21 Q. Did it happen with others?

22 A. I can't talk for them. I don't know. I don't  
23 know what --

**Freedom Court Reporting, Inc****92**

1 NORTH CAROLINA

2 WAKE COUNTY

3 C E R T I F I C A T E

4

5 I, Lindsey D'Anne Cline, Court Reporter and Notary  
6 Public, the officer before whom the foregoing proceeding was  
7 conducted, do hereby certify that the witness(es) whose  
8 testimony appears in the foregoing proceeding were duly  
9 sworn by me; that the testimony of said witness(es) were  
10 taken by me to the best of my ability and thereafter  
11 transcribed under my supervision; and that the foregoing  
12 pages, inclusive, constitute a true and accurate transcript  
13 of the testimony of the witness(s).

14 I do further certify that I am neither counsel for,  
15 related to, nor employed by any of the parties to this  
16 action in which this proceeding was conducted, and further,  
17 that I am not a relative or employee of any attorney or  
18 counsel employed by the parties thereof, nor financially or  
19 otherwise interested in the outcome of the action.

20 This the \_\_\_\_\_ day of \_\_\_\_\_, 2010.

21

22 \_\_\_\_\_  
Lindsey D'Anne Cline

23 Notary Public No.